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12 Attorneys for Defendants  
THE SAFEWAY DEFENDANTS  
13

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)

16 MARIA KARLA TERRAZA, individually and  
on behalf of the SAFEWAY 401(k) Plan,  
17

Plaintiff,

18 vs.  
19

SAFEWAY INC., et al.,  
20

Defendants.

Related Cases:  
No. 3:16-cv-03994-JST  
No. 3:16-cv-04903-JST

**NOTICE OF SETTLEMENT AS TO THE  
SAFEWAY DEFENDANTS;  
STIPULATION AND [PROPOSED]  
ORDER TO STAY TRIAL DEADLINES  
AS TO THE SAFEWAY DEFENDANTS**

Judge: Hon. Jon S. Tigar  
Trial Date: May 7, 2019

22 DENNIS M. LORENZ, on behalf of the Safeway  
23 401(k) Plan,  
24

Plaintiff,

25 vs.  
26

SAFEWAY INC., et al.,  
27

Defendants.

**NOTICE OF SETTLEMENT AND STIPULATION TO STAY**

Pursuant to Northern District Civil Local Rules 6-1, 6-2, 7-12, and 40-1, Plaintiffs Maria Karla Terraza (“Terraza”) and Dennis M. Lorenz (“Lorenz”) (Terraza and Lorenz are collectively referred to as “Plaintiffs”), and Defendants Safeway Inc., the Safeway Benefit Plans Committee, Peter J. Bocian, David F. Bond, Michael J. Boylan, Robert B. Dimond, Laura A. Donald, Dennis J. Dunne, Robert L. Edwards, Bradley S. Fox, Bernard L. Hardy, Russell M. Jackson, Peggy Jones, Suz-Ann Kirby, Robert Larson, Melissa C. Plaisance, Paul Rowan, and Andrew J. Scoggin (collectively, the “Safeway Defendants”) (Plaintiffs and the Safeway Defendants are collectively referred to as the “Settling Parties”) file this Notice of Settlement as to the Safeway Defendants and Stipulation to Stay All Trial Deadlines as to the Safeway Defendants<sup>1</sup> in the above-captioned lawsuits for ninety (90) days as follows:

12 WHEREAS, the Settling Parties have reached an agreement in principle to settle the above-  
13 captioned lawsuits;

WHEREAS, the Settling Parties will jointly stipulate for leave to allow Plaintiffs to amend their operative complaints to assert class action allegations against the Safeway Defendants under Federal Rule of Civil Procedure 23;

17 WHEREAS, Plaintiffs will move, and the Safeway Defendants will not oppose Plaintiffs'  
18 motion to certify the class;

WHEREAS, Plaintiffs anticipate needing 90 days to file and have heard a motion for preliminary approval of the class action settlement;

WHEREAS, trial in the above-captioned lawsuits is currently set for May 7, 2019;

WHEREAS, the Settling Parties have conferred and agreed, subject to the Court's approval,  
to stay the current trial deadlines as to the Safeway Defendants for 90 days;

WHEREAS, staying the current trial deadlines would avoid unnecessary expenses and fees while the Settling Parties finalize their settlement, Plaintiffs seek leave to amend their operative complaints to assert class action allegations against the Safeway Defendants, and Plaintiffs prepare

<sup>1</sup> Defendant Aon Hewitt Investment Consulting Inc. remains an active defendant in the Terraza lawsuit and is not a party to the subject settlement in principle.

1 a motion for preliminary approval of the class action settlement;

2 NOW, THEREFORE, by and through the undersigned counsel, the Settling Parties stipulate  
3 and agree, subject to the Court's approval, that all current trial deadlines should be stayed for 90  
4 days as to the Safeway Defendants only.

5 IT IS SO STIPULATED.

6 DATED: April 23, 2019

TRUCKER ♦ HUSS, APC

7 By: /s/ R. Bradford Huss

R. Bradford Huss  
Joseph C. Faucher  
Angel L. Garrett  
Dylan D. Rudolph  
Attorneys for the  
SAFEWAY DEFENDANTS

11 DATED: April 23, 2019

12 SHEPHERD FINKELMAN MILLER &  
13 SHAH, LLP

14 By: /s/ James E. Miller

15 James E. Miller  
Laurie Rubinow  
16 Attorneys for Plaintiff  
17 MARIA KARLA TERRAZA

18 DATED: April 23, 2019

SCHNEIDER WALLACE COTTRELL  
KONECKY WOTKYNS, LLP

19 By: /s/ James A. Bloom

20 Todd M. Schneider  
Jason H. Kim  
James A. Bloom  
21 Attorneys for Plaintiff  
22 DENNIS M. LORENZ

23 I attest that my firm has obtained concurrence in the filing of this document from James E.  
24 Miller and James A. Bloom.

25 DATED: April 23, 2019

TRUCKER ♦ HUSS, APC

26 By: /s/ R. Bradford Huss

27 R. Bradford Huss  
Attorneys for the  
28 SAFEWAY DEFENDANTS

## [PROPOSED] ORDER

Pursuant to the Settling Parties' Notice of Settlement as to the Safeway Defendants and  
Stipulation to Stay All Trial Deadlines as to the Safeway Defendants, and for good cause shown, the  
Court will stay all trial deadlines as to the Safeway Defendants only for ninety (90) days.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: \_\_\_\_\_

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Hon. Jon S. Tigar  
Judge of the United States District Court

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